

Exhibit 374

PART 22

United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.
v. Dey, Inc., et al., Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

5. As proof that Nationals in The State of Colorado are "sovereign," I rely upon the court case of Chisholm v. Georgia:

"At the revolution, the Sovereignty devolved on the people: and they are truly the Sovereigns of the country, but they are Sovereigns without subjects and have none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the Sovereignty Chivfudnt v. Georgia (February Term, 1793) 2 U.S. 419, 2 Dall. 419.1 L. Ed 440.

6. As for my subjection to the corporate, colorable STATE OF COLORADO, I rely upon another quote from Chisholm v. Georgia, supra; "The only reason, I believe that a free man is bound by human law, is, that he binds himself." Chisholm v. Georgia, 2 US (Dall) 419, 455, (1794).
7. The idea that the word "person" ordinarily excludes the Sovereign can also be traced to the, "familiar principle that the King is not bound by any act of Parliament unless he be named therein by special and particular words." Dollar Savings Bank v. United States, 19 Wall. 227, 239 (1894). As this passage suggest, however, this interpretive principle applies only to "the enacting Sovereign". "United States v. California, 297 U.S. 175, 186 (1936). See also Jefferson County, Pharmaceutical Assn. Inc. v. Abbott Laboratories, 460 U.S. 150, 161, n, 21 (1983).
8. Furthermore, as explained in United States v. Herron, 20 Wall, 251, 255 (1874), even the principle as applied to the enacting Sovereign is not without limitations:
- "Where an act of Parliament is made for the public good, as for the advancement of religion and justice or to prevent injury and wrong, the king is bound by such act, though not particularly named therein; but where a statute is general, and thereby any prerogative. Right, title, or interest is divested or taken from the king, in such case the king is not bound, unless the statute is made to extent to him by express words. "United States v. Herron, supra.
9. That I rely upon the Court Case of Kawananakoa v. Polyhlank, as cited:
- "A Sovereign is exempt form suit, not because of any formal conception or obsolete theory, but on the logical and practical ground that there can be no legal Right as against the authority that makes the law on which the Right depends. "Kawananakoa v. Polyhlank, 205 U.S. 349, 353, 27S. Ct. 526. 527, 51 L. Ed. 834 (1907).
10. I rely upon the United States Supreme Court case that stated:

"In common usage, the term "person" does not include the Sovereign, statutes employing the word **person** are ordinarily construed to exclude the Sovereign. "Wilson v. Omaha Tribe, 442 U.S. 653, 667 (1979) (quoting United States v. Cooper Corn, 312 U.S. 600, 604 (1941)). See also United States v. Mine Workers, 330 U.S. 258, 275 (1947).

That I am not a "person" as the term is used in the statutes, codes, rules regulations and ordinances of the STATE OF COLORADO, and any of its political subdivisions, corporate or otherwise, when such definition includes artificial entities. I rely upon the following:

"The word **"person"** in legal terminology is perceived as a general word which normally includes in its scope a variety of entities other than human beings." 1 U.S.C. sec 1. Church of Scientology v. Dept. Of Justice, (1979) 612 F. 2d 417, 425.

Under the rule of construction "expressio unius est exclusio alterius," where a statute or Constitution enumerates the things on which it is to operate or forbids certain things, it is ordinarily to be construed as excluding from its operation all those not expressly mentioned.

Generally words in a statute should be given their plain and ordinary meaning. When a statute does not specifically define words, such words should be construed in their common or ordinary sense to the effect that the rules used in construing statutes are also applicable in the construction of the Constitution. It is a fundamental rule of statutory construction that words of common usage when used in a statute should be construed in their plain and ordinary sense.

1. As to the belief in the Sovereign State, I rely upon:

"Sovereign state" are cabalistic words, not understood by the disciple of liberty, who has been instructed in our constitutional schools. It is an appropriate phrase when applied to an absolute despotism. I firmly believe, that the idea of sovereign power in the government of a republic is incompatible with the existence and permanent foundation of civil liberty, and the rights of property. The history of man in a new age has shown the necessity of the strongest checks upon power, whether it be exercised by one man, a few or many. Our revolution broke up the foundations of sovereignty in government; and our written constitutions have carefully guarded against the baneful influence of such an idea henceforth and forever. I can not therefore recognize the appeal to the sovereignty of the state, as a justification of the act in question," Doe ex dent. Gaineset al v. L Kufnrd, Campbell County Circuit Court, (1825) [Monroe, T. B. 1824-1828, e.g. 17 Ky. (1 T. B. Mon.)]

As to claim of Municipal Immunity from liability from tort against a human being, I rely upon:

"A sort of transcendentalism which enveloped both the courts and the profession in a mist growing out of the airy nothingness of the subject matter, enabled [municipal] corporations, like pestilence which walketh unseen, to do their mischief and escape responsibility." McCombs v. Town Council of Akron, 15 Ohio 474, 480 (1876), accord..

Butler v. Jordan, 92 Ohio St. 3rd 354, 363, 750 N.R.2d 554, 563 (2001) [Emphasis added]

THEREFORE, Be it known to all courts, governments, and other parties, that I., am a natural, freeborn Sovereign Moorish American National of the United States of America formerly known as **"Amexem,"** without subjects, nor subjects, nor subject of Great Britain, I am neither subject to any entity anywhere, nor is any entity subject to me. I neither dominate anyone, nor am I dominated.

11. My authority for this statement is the same as it is for all free Sovereign Moorish Americans everywhere: the age-old, timeless, and universal respect for the intrinsic rights, property, freedoms, and responsibilities of the Sovereign Individual.
12. I am not a "person" when such term is defined in statutes of the united States or statutes of the **State of Colorado** or several states when such definition includes artificial entities, I refuse to be treated as a federally or state created entity which is only capable of exercising certain rights, privileges, or immunities as specifically granted by federal or state governments.
13. I voluntarily choose to comply with the man-made laws, which serve to bring harmony to society, but no such laws, nor their enforcers, have any authority over me. I am not in any jurisdiction, for I am not of subject status.
14. Consistent with the eternal tradition of natural common law, unless I have harmed or violated someone or their property, I have committed no crime; and am therefore not subject any penalty.

"The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no such duty [to submit his books and papers for an examination] to the State, since he receives nothing there from, beyond the protection of his life and property. Our rights are such as existed by the law of the land [Common Law] long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights." Hale v. Henkel, 201 U.S. 43 at 47 (1905).

Thus, be it known to all, that I reserve my natural common law right not to be compelled to perform under any contract that I did not enter into knowingly, voluntarily, and Intentionally. And furthermore, I do not accept the liability associated with the compelled and pretended "benefit" of any hidden or unrevealed contract or commercial agreement.

As such, the hidden or unrevealed contracts that supposedly create obligations to perform, for persons of subject status, are inapplicable to me, and are null and void. If I have participated in any of the supposed "benefits" associated with these hidden contracts, I have done so under duress, for lack of any other practical alternative. I may have received such "benefits" but I have not accepted them in a manner that binds me to anything.

Any such participation does not constitute "acceptance" in contract law, because of the absence of full disclosure of any valid "offer," and voluntary consent without misrepresentation or coercion, under contract law. Without a valid voluntary offer and acceptance, knowingly entered into by both parties, there is no "meeting of the minds," and therefore not valid contract. Any supposed "contract" is therefore void, ab initio.

From my age of consent to the date affixed below I have never signed a contract knowingly, willingly, intelligently, and voluntarily whereby I have waived any of my natural common law rights, and, as

such. **Take Notice** that I revoke, cancel, and make void ab initio my signature on any and all contracts, agreements, forms, or any instrument which may be construed in any way to give any agency or department of any federal or state government authority, venue, or jurisdiction over me.

This position is in accordance with the U.S. Supreme Court decision of Brady v. U.S., 379 U.S. 742 at 748 (1970):

“Waivers of Constitutional Rights not only *must* be voluntary, they must be knowingly intelligent acts, done with sufficient awareness of the relevant circumstances and consequences.”

Typical examples of such compelled and pretended “benefits” are:

1. **The use of Federal Reserve Notes to discharge any debts.** I have used these only because in America, there is no other widely recognized currency.
2. **The use of a bank account, with my signature on the bank signature card.** If there is any hidden contract behind the bank signature card, my signature thereon gives no validity to it. The signature is only for verification of identity. I can be obligate to fulfill no hidden or unrevealed contract whatsoever, due to the absence of full disclosure and voluntary consent.

Likewise, my use of the bank account thereof is due to the absence of a bank not associated with the Federal Reserve System. In general, people have been prevented from issuing their own currencies, and such prevention is in violation of the United States Constitution. Were there an alternative, I would be happy to use it. To not use any bank at all is impossible or very difficult, as everyone knows, in today’s marketplace.

3. **The use of a Social Security number.** The number normally assigned to persons of subject status, I use exceptionally, under duress, only because of the extreme inconvenience of operating without one in today’s marketplace, where it is requested by banks, employers, lenders, and many other government agencies and business. My reason for using it is not because I wish to participate in the Social Security system, as I don’t wish to participate. Let it be known that I use the Social Security number assigned to me for information only, moreover, I do not grant permission for us of such Social Security system to payoff domestic and foreign debts as I am a National of America formerly known as “Amexem” and not a subject to Great Britain.
4. **The use of a driver’s license.** As a free Sovereign, there is no legal requirement for me to have such a license for traveling in my car. Technically, the unrevealed legal purpose of driver’s licenses is commercial in nature. Since I don’t carry passengers for hire there is no law requiring me to have a license to travel for my own pleasure and that of my family and friends. However, because of the lack of education of police officers on this matter, should I be stopped for any reason and found to be without a license, I carry a National ID Card to avoid extreme inconvenience.
5. **State plates on my car.** Similarly, even though technically, my car does not fit the legal definition of a “motor vehicle,” which is used for commercial purposes, nevertheless, I have registered it with the state and carry the state plates on it, because to have any other plates or no plates at all, causes me to run the risk of police officer harassment and extreme inconvenience.

However, since I am a American national and not subject to Great Britain I am therefore exempted from state, city and county taxes required for motor vehicle license tabs in accord with Title 4, United States Code § 109.

6. **Past tax returns filed.** Any tax returns I may have filed in the past were tiled due to the dishonest atmosphere of fear and intimidation created by the Internal Revenue Service (IRS) and the local assessors' offices; not because there is any law requiring me to do so. Once I discovered that the IRS and other tax agencies have been misinforming the public, I have felt it is my responsible duty to society to terminate my voluntary participation. Because such returns were filed under Threat, Duress, and Coercion (TDC), and no two-way contract was ever signed with full disclosure, there is nothing in any past filing of returns or payments that created any valid contract. Therefore, no legal obligation on my part was ever created.
7. **Birth Certificate.** The fact that a birth certificate was granted to me by a local hospital of government agency when I entered this world is irrelevant to my Sovereignty. No status, high or low, can be assigned to another person through a piece of paper, without the recipient's full knowledge and consent. Therefore, such a piece of paper provides date and place information only. It indicates nothing about jurisdiction, nothing about property ownership, nothing about rights, and nothing about subject status. The only documents that can have any legal meaning, as it concerns my status in society, are those, which I have signed as an adult, with full knowledge and consent free from misrepresentation or coercion of any kind. Moreover, I do not give consent that such instrument be used as commerce to pay domestic and foreign debts, as I am not a subject of Great Britain or of any international banking system.
8. **Marriage license.** The acquisition of a marriage license is now being revealed as being necessary only for slaves. The act of a Sovereign such as myself obtaining such a license, through social custom and ignorance of law, has no legal effect in changing my status. This is because any such change in status, if any may be supposed to occur, could happen only through a hidden and unrevealed contract or statute. Since no hidden, unrevealed, and undisclosed information, if it exists, can be lawfully held to the binding, it is null and void.
9. **Children in public school.** The attendance of my children in government-supported "public" schools or government-controlled "private" schools does not create any legal tax obligation for me, nor any other legal obligation, because I never signed a contract agreeing to such obligation for the supposed "privilege" of public school attendance.

If any of my children have attended government supported "public" or controlled "private" schools, such was done under duress and not out of free will. Be it known that I regard "compulsory state education" as a violation of the Thirteenth Amendment to the U.S. Constitution, which states in relevant part:

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

10. **Declaration of Citizenship.** Any document I may have ever signed, in which I answered, "yes" to the question, "Are you a U.S. citizen?" – cannot be used to compromise my status as a National Sovereign, nor obligate me to perform in any manner. This is because without full

written disclosure of the definition and consequences of such supposed "citizenship," provided in a document bearing my signature given freely without misrepresentation or coercion, there can be no legally binding contract.

I am not a "United States" citizen subject to its jurisdiction. The United States is an entity created by the U.S. Constitution with jurisdiction as described on the following pages of this Affidavit. I am not a "resident of," an "inhabitant of," a "franchise of," a "subject of," a "ward of" the "property of," the "chattel of," or "subject to the jurisdiction of" any corporate state and federal government, corporate state government, corporate county government, corporate city government, or corporate municipal body politic created under the authority of the U.S. Constitution.

I am not subject to any legislation, department, or agency created by such authorities, nor to the jurisdiction of any employees, officers, or agents deriving their authority therefrom. Further, I am not a subject of the Administrative and Legislative Article IV Courts of the several states, or Article I Courts of the United States, or bound by precedents such courts, deriving their jurisdiction from said authorities. **Take Notice** that I hereby revoke, cancel, and make void ab initio any such instrument or any presumed election made by any of the several states or the United States government or any agency or department thereof, that I am or ever have voluntary elected to be treated as a United States citizen subject to its jurisdiction or a resident of any territory, possession, instrumentality or enclave under the sovereignty or exclusive jurisdiction of any of the several states or of the United States as defined in the U.S. Constitution in *Article 1, Section 8, Clause 17 and Article IV, Section 3, Clause 2*.

11. **Past voter registration.** Similarly, since no obligation to perform in any manner was ever revealed in print, as part of the requirements for the supposed "privilege" to vote for government officials, any such registration on my part cannot be legal evidence of any obligation to perform. Likewise, I have granted NO jurisdiction over me, to any political office. It is my inherent right to vote on elections or issues that I feel affect all of society; NOT because I need anyone to rule over me. On the contrary – I have used the voting process only to instruct my public servants what a Citizen and Sovereign would like done.
12. **Use of the 2-letter state code and zip code.** My use of the 2-letter state code and zip code in my "address," which is secretly codified to indicate United States "Federal zone" jurisdiction, has no effect whatsoever on my Sovereign original status. Simply by receiving or sending "mail" through a quasi-federal messenger service, the postal service, at a location indicated with a 2-letter state code and zip code, cannot place me under federal jurisdiction or obligation. Such a presumption would be ludicrous.

I use these codes only for the purpose of information and making it more efficacious for the U.S. Postal Service to deliver my mail.

13. **Use of semantics.** There are some immature people with mental imbalances, such as the craving to dominate other people, who masquerade as "government." Just because they alter definitions. The fact that they define the words "person," "address," "mail," "resident," "motor vehicle," "driving," "passenger," "employee," "income," and many others, in ways different from the common usage, so as to be associated with a subject or slave status, means nothing in real life.

Because the courts have become entangled in the game of semantics, be it known to all courts and all parties, that if I have ever signed any document or spoken any words on record, using words defined by twists in the law books different from the common usage, there can be no effect whatsoever on my Sovereign status in society thereby, nor can there be created any obligation to perform in any manner, by the mere use of such words. Where the meaning in the common dictionary differs from the meaning in the law dictionary, it is the meaning in common dictionary that prevails, because it is more trust worthy.

Such compelled and supposed "benefits" include, but are not limited to, the aforementioned typical examples. My use of such alleged "benefits" is under duress only, and is with full reservation of all my common law rights, I have waived none of my intrinsic rights and freedoms by my use thereof. Furthermore, my use of such compelled "benefits" may be temporary, until better alternatives become available, practical, and widely recognized.

FEDERAL JURISDICTION

It is further relevant to this Affidavit that any violation of my Rights, Freedom, or Property by the U.S. federal government, or any agent thereof, would be an illegal and unlawful excess, clearly outside the limited boundaries of federal jurisdiction. My understanding is that the jurisdiction of the U.S. federal government is defined by *Article I, Section 8, Clause 17* of the U.S. Constitution, quoted as follows:

"The Congress shall have the power ... To exercise exclusive legislation in all cases whatsoever, over much district (**NOT EXCEEDING TEN MILES SQUARE**) as may, by cession of particular states and the acceptance of Congress, become the seat of the Government of the United States, [district of Columbia] and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the Erection of Ports, Magazines, Arsenals, dock yards and other needful Buildings; And – To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers..." [**emphasis added**]

and *Article IV, Section 3, Clause 2*:

"The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

The definition of the "United States" being used here, then, is limited to its **territories**:

- | | |
|--------------------------------|---|
| 1) The District of Columbia | 6) Northern Mariana Islands |
| 2) Commonwealth of Puerto Rico | 7) Trust Territory of the Pacific Islands |
| 3) U.S. Virgin Islands | 8) Military bases within the several states |
| 4) Guam | 9) Federal agencies within the several states |
| 5) American Samoa | |

It does not include the several states **themselves**, as is confirmed by the following cities: